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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

COUNTY OF SANTA CRUZ, et al.,

Plaintiffs,

v.

ALBERTO GONZALES, Attorney General
 of the United States; KAREN P. TANDY,
 Administrator of the Drug Enforcement
 Administration; JOHN P. WALTERS,
 Director of the Office of National Drug
 Control Policy; and 30 UNKNOWN
 DRUG ENFORCEMENT
 ADMINISTRATION AGENTS,

Defendants.

Nos. C 03-1802 JF **CONSOLIDATED**
 MC 02-7012 JF

**STIPULATION AND ORDER
 SETTING BRIEFING SCHEDULE
 AND CONTINUING HEARING DATE
 AND CASE MANAGEMENT
 CONFERENCE**

No Hearing requested.

Plaintiffs, by and through their undersigned counsel, and Defendants Alberto Gonzales, Attorney General of the United States; Karen P. Tandy, Administrator of the Drug Enforcement Administration; and John P. Walters, Director of the Office of National Drug Control Policy by and through their undersigned counsel, hereby stipulate to the following briefing schedule regarding Defendants' intention to file a motion to dismiss the Fifth Cause of Action in Plaintiff's First Amended Complaint, which is raised against 30 Unknown Drug Enforcement Agents, and further stipulate to continue the hearing and Case Management Conference on the Defendants' pending motion to dismiss, currently scheduled for **May 12, 2006, at 3:00 p.m.**, until **June 23, 2006, at 9:00 a.m.**, or at a time to be determined by the Court, so that the motions can be heard together.

WHEREFORE, the parties hereby stipulate to the following:

1. Defendants shall file a motion to dismiss the Fifth Cause of Action in Plaintiff's First Amended Complaint on or before **May 5, 2006**;

2. Plaintiffs shall file an opposition on or before **May 26, 2006**;

3. Defendants shall file a reply, if any, on or before **June 2, 2006**;

4. A hearing on Defendants' motion to dismiss the Fifth Cause of Action in Plaintiff's First Amended Complaint shall be heard on **June 23, 2006, a 9:00 a.m.**, or at a time to be determined by the Court.

5. The hearing and Case Management Conference on Defendants' pending motion to dismiss the First, Second, Third, Fourth, and Sixth Causes of Action in Plaintiffs' First Amended Complaint, currently scheduled for **May 12, 2006, at 3:00 p.m.**, shall be continued until **June 23, 2006, a 9:00 a.m.**, or at a time to be determined by the Court, so that the motions may be heard together;

6. The Case Management Conference, currently scheduled for **May 12, 2006, immediately following the hearing scheduled for the same date at 3:00 p.m.**, be continued until after the consolidated hearing on the defendants' motions to dismiss scheduled for **June 23, 2006, at 9:00 a.m.**, or a time to be determined by the Court, or until such later date as the Court deems fit.

Respectfully submitted:

The Plaintiffs,

The Defendants,

/s/ Rachel H. Sommovilla
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Dated: May 3, 2006

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 5/3/06


JEREMY FOGEL
UNITED STATES DISTRICT JUDGE